

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 11-10212-JLT
)	
1. JOHN WILLIS)	
a/k/a "Bac Guai John")	
2. BRANT WELTY)	
7. MICHAEL CLEMENTE)	
a/k/a "Ricky Martin")	
9. MARK THOMPSON)	
12. BRIDGET WELTY)	
)	
Defendants.)	

JOINT MOTION TO CONTINUE TRIAL

The United States of America and defendants Michael Clemente and Bridget Welty, each by their undersigned attorneys, hereby move that the Court continue the trial in this matter, which is currently scheduled for October 9, 2012, and schedule a conference for the selection of dates for hearings and trial in this matter. As reasons therefor, the parties state that:

1. This case is currently before Magistrate Judge Boal. The Final Status Conference is scheduled for September 18, 2012 for defendants John Willis, Brant Welty, Michael Clemente, Mark Thompson, and Bridget Welty.

2. Trial is currently scheduled for October 9, 2012.

3. In addition to this motion, separate motions are pending for decision by the District Court, including motions to suppress by John Willis, Brant Welty, Michael Clemente, and Bridget Welty, and motions to sever by Brant Welty and Bridget Welty. Hearings have not been yet been scheduled on these motions.

4. The undersigned parties have been in communication regarding the trial date of this matter. All of these parties agree that the case will not be ready for trial on October 9, 2012,

and that the trial date should be continued. One reason for continuing the trial date is that the previously listed motions are still pending, and the parties are unable to complete their trial preparations (or, as to some defendants, to determine whether or not to proceed to trial) until the District Court has heard and decided those motions.

5. Another reason for continuing the trial date is that on August 16, 2012, the grand jury returned a Second Superseding Indictment adding two defendants, Colby Deering and Anh Nguyen. Deering and Nguyen had initial appearances in court on August 21, 2012, but are not scheduled for arraignment until September 4, 2012.

6. The undersigned parties have attempted to identify a date convenient to the Court and all of them in early 2013. The parties considered February 4, 2013, which was a convenient day for the Court, but despite their best efforts, the parties were not able to agree on that date because of scheduling conflicts, and have been unable to find another conflict-free date.

7. The undersigned parties believe that it will be easiest to pick a date at a hearing before the Court, when counsel for all parties, will be present and able to consult their own schedules and the Court's simultaneously.

WHEREFORE, the undersigned parties request that the Court continue the date of the trial, currently scheduled for October 9, 2012, and address the trial date at the first hearing before the District Court.

Respectfully submitted,

MICHAEL CLEMENTE

By: James J. Cippolletta
James J. Cippolletta
Counsel for Michael Clemente

CARMEN M. ORTIZ
UNITED STATES ATTORNEY

By: Timothy E. Moran
Timothy E. Moran
Richard L. Hoffman
Assistant United States Attorney

BRIDGET WELTY

By: Mark D. Smith
Mark D. Smith
Counsel for Bridget Welty

Dated: August 27, 2012

LOCAL RULE 7.1 STATEMENT

I hereby certify that I attempted to confer with all counsel in this matter by electronic mail of August 23, 2012. I have not heard from some counsel. No counsel has objected to this motion.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Timothy E. Moran
Timothy E. Moran